

Moved by Davis

Seconded by Darrington

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1339

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, following "or" insert: "physically"; in line 17, following "Disclosure," insert: "physical"; in line 21, following "disclosure," insert: "physical"; in line 22, following "or" insert: "physical"; in line 32, following "or" insert: "physically"; and on page 2, following line 14, insert:

"(6) "Physical retention" and "physical possession" means to keep, save, hold or preserve beyond mere mental memorization or knowledge, but shall include, and not be limited to, electronic means of preservation."

AMENDMENT TO SECTION 2

On page 2, in line 17, delete "Trade secret misappropriation, once proven,"; delete line 18; in line 19, delete "the misappropriation."; and delete lines 37 through 42, and insert:

"(4) Any party named in litigation under this chapter who acts with knowledge of the misappropriation of a trade secret, or with deliberate or reckless disregard of the facts of a misappropriation, shall be jointly and severally liable for all damages established under this section where the parties were acting in concert. As used in this section, "acting in concert" means pursuing a common plan or design that results in a violation of this act."

CORRECTION TO TITLE

On page 1, in line 3, following "DEFINITIONS" insert: "AND TO DEFINE A TERM".